

**Amendment and Response**

Applicant: Douglas G. Dunlap

Serial No.: 09/873,653

Filed: June 4, 2001

Docket No.: 10002842-1

Title: PRINTER SELECTION SYSTEM AND METHOD

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**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed November 2, 2005, in which claims 3-13, 15-18, and 21-29 were rejected. With this Amendment, claims 4 and 15 have been cancelled without prejudice, and claims 5, 6, 11, 16, 18, 28, and 29 have been amended to clarify Applicant's invention. Claims 3, 5-13, 16-18, and 21-29, therefore, remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

Claims 3-13, 15-18, and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub U.S. Patent Application Publication No. 2003/0011805 and Mastie et al. U.S. Patent No. 6,515,756.

With this Amendment, independent claim 11 has been amended to clarify that the method of selecting a printer includes compiling a list of at least one of the printers which has the printing capability to fulfill the print job as determined by comparing the print request and the data file for the print job with the printing capability of the printers, presenting the list of the at least one of the printers which has the printing capability to fulfill the print job to the user, and, after presenting the list to the user, receiving a printer selection for the print job from the user at the printer selection system controller, wherein the printer selection includes a selected printer from the list of the at least one of the printers.

With this Amendment, independent claim 18 has been amended to clarify that the method of selecting a printer includes compiling a list of at least one of the printers which has the printing capability to fulfill the print job as determined by comparing the print request and the data file for the print job with the printing capability of the printers, presenting the list of the at least one of the printers which has the printing capability to fulfill the print job to the user, and, after presenting the list to the user, receiving a printer selection for the print job from the user, wherein the printer selection includes a selected printer from the list of the at least one of the printers.

With this Amendment, independent claim 28 has been amended to clarify that the processor is adapted to compile a list of at least one of the printers which has the printing capability to fulfill the print job as determined by comparing the print request and the data

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file for the print job with the printing capability of the printers, clarify that the printer selection system controller is adapted to present the list of the at least one of the printers which has the printing capability to fulfill the print job to the user, and clarify that, after the printer selection system controller presents the list to the user, the printer selection system controller is adapted to receive a printer selection for the print job from the user, the printer selection including a selected printer from the list of the at least one of the printers.

With respect to the Yacoub and Mastie et al. references, Applicant submits that neither of these references, individually or in combination, teach or suggest a method of selecting a printer as claimed in independent claim 11, a method of selecting a printer as claimed in independent claim 18, nor a system for selecting a printer as claimed in independent claim 28.

For example, with regard to the Yacoub reference, the Yacoub reference discloses a virtual printer which receives preferences from a user regarding a print job such as image quality and/or speed wherein the virtual printer automatically determines which printer of the printers on the network comply with the print job preferences and wherein the virtual printer selects an appropriate printer which complies with the preferences and is located physically near the user/client (para. [0009]). As such, with the Yacoub reference, once the appropriate printer is found, the print job is automatically sent and spooled to that printer (step 350) (para. [0030]). In addition, with the Yacoub reference, it is the server, and not the user, that selects a different printer when a print error is returned (step 380) (para. [0031]). The virtual printer of the Yacoub reference, therefore, does not present a list of at least one of the printers which has the printing capability to fulfill the print job to the user and, therefore, does not, after presenting the list to the user, receive a printer selection for the print job from the user. Rather, according to the Yacoub reference, "the user is relieved of many, if not all interaction with the printing process once the job is sent" (para [0022]).

Furthermore, with regard to the Mastie et al. reference, the Mastie et al. reference discloses a method and system for processing print jobs while guaranteeing uniformity in print attributes across different servers and physical printers wherein one of a plurality of transform processes is selected from at least two controllers to process input data files associated with print jobs such that the selected transform process processes the input data file in accordance with a submitted set of print attribute values to produce an output data

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stream (col. 2, line 56 - col. 3, line 2). As such, the input data files of the Mastie et al. are used to produce an output data stream. The Mastie et al. reference, however, does not disclose the input data files as being used to determine which of a plurality of printers have the printing capability to fulfill a print job.

In view of the above, Applicant submits that independent claims 11, 18, and 28 are each patentably distinct from the Yacoub and Mastie et al. references and, therefore, are each in a condition for allowance, and that all claims depending therefrom are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 3-13, 15-18, and 21-29 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 3, 5-13, 16-18, and 21-29 be allowed.

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Title: PRINTER SELECTION SYSTEM AND METHOD**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 3, 5-13, 16-18, and 21-29 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Douglas G. Dunlap,

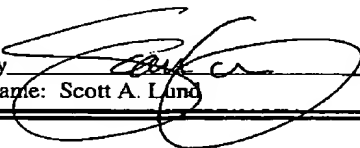
By,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-2006  
Facsimile: (612) 573-2005

Date: JAN. 16, 2006  
SAL:jan

  
Scott A. Lund  
Reg. No. 41,166

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 16TH day of January, 2006.

By   
Name: Scott A. Lund